



#4

## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for Reissue )  
Of U.S. Patent No. 5,634,448 )  
)  
RONALD D. SHINOGLE, ET AL ) Art Unit: Unassigned  
)  
Application No. 09/322,770 ) Examiner: Unassigned  
)  
Issued: June 3, 1997 ) Paper No. 12  
)  
For: METHOD AND STRUCTURE )  
FOR CONTROLLING AN )  
APPARATUS, SUCH AS A )  
FUEL INJECTOR, USING )  
ELECTRONIC TRIMMING )  
)  
Attorney Docket No. 87-146 R )  
)

Peoria, Illinois 61629-6490  
October 28, 1999

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

ATTN: APPLICATION PROCESSING DIV.

SUBMISSION OF MISSING PARTS

Sir:

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231	
On	October 28, 1999 (Date)
Larry G. Cain	
Attorney or Agent	
<i>Larry G. Cain</i> Signature	
Date: October 28, 1999	

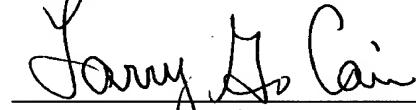
In response to the enclosed Application Division's PTO Form 1123, Notice Of Incomplete Application, dated June 22, 1999, enclosed is an additional copy of Figures 1-10 the original Formal Drawing which were request to be transferred from the original patent file and additionally facsimile sent to Ms. Kathy Nelson on June 30, 1999. A copy of facsimile cover sheet and message confirmation are attached.

And, in response to the enclosed Application Division's PTO Form 1532, dated June 22. 1999, enclosed is a Declaration and Power of Attorney executed in compliance with 37 CFR § 1.63. The above-noted application is the application which the inventors executed by signing the enclosed Declaration and Power of Attorney.

And additionally, in response to the enclosed Application Division's PTO Form 2014, dated June 22, 1999, enclosed is a Declaration and Power of Attorney executed in compliance with 37 CFR § 1.172 including a copy of the original assignment giving written consent of all assignees. Also attached is a copy of the Notice of Recordation of Assignment Document naming the Assignee as Caterpillar Inc., Peoria, IL A Corp of CA as the sole owner of all rights, title and interest. A copy of the Assent of Assignee and Offer to Surrender Original Letters Patent submitted with the application for reissue of United States utility patent is also attached.

Please charge the surcharge fee of \$130.00 to our  
Deposit Account No. 03-1129.

Respectfully submitted,



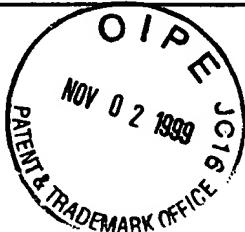
Larry G. Cain  
Registration No. 31,150  
Caterpillar Inc.

Telephone: (309) 675-4922  
Facsimile: (309) 675-1236  
87-146R-sub of missing parts



# Facsimile Cover Sheet

To



Total number of pages  
including cover sheet  
9

Date

June 30, 1999

Name

Ms. Kathy Nelson

Department/Company

USPTO

Plant/Office/Address

Customer Service Center

Fax

703/308-7749

Telephone

703/308-9487

From

Name

Nancy Crater

Company

Caterpillar Inc., Intellectual Property Department

Address

100 N.E. Adams Street

City, State, Zip

Peoria, IL 61629-6490

Fax

(309) 675-1236

Telephone

309/675-5701

RE: Application for Reissue of U.S. Patent No. 5,634,448.

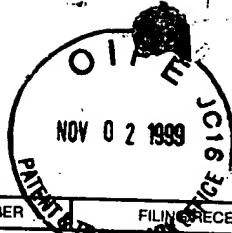
Application Number 09/322,770; Filed 5/28/99

Atty Docket: 87-146-R

**Message:** I am faxing to you 7 sheets containing 10 figures for the above mentioned case (Copy of Notice Of Incomplete Application included with this facsimile). We will be filing a Petition to maintain the original filing date of May 28, 1999, because we had filed a "Request For Transfer Of Formal Drawings" along with the Application for Reissue and were not aware the USPTO required the figures in addition to the submitted request.

Confidential Communication

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect), and return the original message to us at the above address via the U.S. Postal Service. Thank you.



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/322,720	05/28/99	SHINOGLE	R 87-146-R

0242/0622

ERIC M BRAM  
CATERPILLAR INC  
100 N E ADAMS ST  
PEORIA IL 61629-6490

NOT ASSIGNED

3747

DATE MAILED:

06/22/99

**NOTICE OF INCOMPLETE APPLICATION**

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

All of the items noted below, unless otherwise indicated, must be submitted within **TWO MONTHS** of the date of this Notice, or the application may be returned or otherwise disposed of. Any fee which has been submitted will be refunded less a \$130.00 handling fee. (37 CFR 1.53(c)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the items required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of the Assistant Commissioner for Patents accompanied by the \$130.00 petition fee. (37 CFR 1.17(i)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

- 1. The specification (description and claims):
  - a. is missing.
  - b. does not include a written description of the invention.
  - c. does not include at least one claim as prescribed by 35 U.S.C. 112.

*A complete specification (including at least one claim in a nonprovisional application) as prescribed by 35 U.S.C. 112 is required.*
- 2. The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether drawings are necessary under 35 U. S. C. 113 (first sentence).*
- 3. The inventor's name(s) is missing.  
*The full names of all inventors are required in compliance with 37 CFR 1.41.*
- 4. OTHER:

Additional observations on the above-identified application papers:

- 1. Pages \_\_\_\_\_ of the specification are missing.
- 2. Figures 1-10 described in the specification are missing.

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

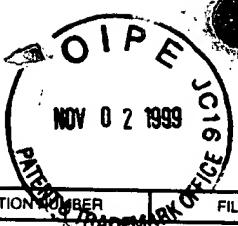
- "General Information Concerning Patents." See page \_\_\_\_\_.
- "Notice to File Missing Parts of Application," Form PTO-1532.
- "Checklist for Patent Applications."
- Other: *Reissue Supplement to Notice To File Missing Parts of Application*

***A copy of this notice MUST be returned with the response.***

*K. N. W.*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

17-703-1306-41151

FAC



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SECRET #4

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/322,770 05/28/94 SHINOGUE

R 07-146-R

0242/0622

ERIC M BRAM  
CATERPILLAR INC  
100 N E ADAMS ST  
PEORIA IL 61629-6490

NOT ASSIGNED

37417

DATE MAILED:

06/22/94

### NOTICE TO FILE MISSING PARTS OF APPLICATION

No Filing Date

(Enclosure to Form PTO-1123)

The required items noted below SHOULD be filed along with any items required on the "Notice of Incomplete Application." If the concurrent filing of all required items is not possible, the items noted below must be filed no later than TWO MONTHS FROM THE FILING DATE ACCORDED THIS APPLICATION. The filing date of this application will be the date of receipt of the items required on the "Notice of Incomplete Application." If items 1 and 3-5 below are submitted after the filing date, THE PAYMENT OF A SURCHARGE OF \$ 130.00 for a  large entity  small entity in compliance with 37 CFR 1.27 will also be required (37 CFR 1.16(e)).

If all required items on this form and on the "Notice of Incomplete Application" are filed together, the total amount owed by applicant as a  large entity  small entity is \$ 0.

1. The statutory basic filing fee is:

missing.  
 insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing.  
 does not cover the items required on "Notice of Incomplete Application."  
 does not identify the application to which it applies.  
 does not include the post office address and the city and state or foreign country of applicant's residence.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Receipt Date is required.

4. The signature(s) to the oath or declaration is/are:

missing.  
 by a person other than the inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, referring to the above Application Number and Receipt Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration signed by the omitted inventor(s), identifying this application by above Application Number and Receipt Date, is required.

6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. The application does not comply with the Sequence Rules. See attached "Notice To Comply with Sequence Rules 37 CFR 1.821-1.825."

8. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

Customer Service Center

Initial Patent Examination Division (703) 308-1202



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

87-146-R

Application Number:

Application to Paper Number:

0242/0622

NOT ASSIGNED

ERIC M BRAM  
CATERPILLAR INC  
100 N E ADAMS ST  
PEORIA IL 61629-6490

SHINOGLE

**REISSUE SUPPLEMENT TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION** 3747

06/22/99

This Reissue Supplement is an attachment to:

- "Notice to File Missing Parts of Application" Filing Date Granted (PTO-1533)
- "Notice to File Missing Parts of Application" No Filing Date Granted (PTO-1532)

The item(s) indicated below as missing must be filed within the period for reply to the attached Notice to File Missing Parts of Application to avoid abandonment.

The following items are required to complete the reissue application:

- Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees.
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

*K N*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202



## MESSAGE CONFIRMATION

DATE: 06/30/99 TIME: 12:39

ID: CATERPILLAR PATE

DATE	TIME	TX-TIME	DISTANT STATION ID	MODE	PAGES	RESULT
06/30	12:35	03'32"	917033087749	G3-S	009	OK